

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Jerry Jackson, #81094-071;

Plaintiff,

v.

J.V. Smith, Warden; J. Serrono, M.D.;  
L. Rogers, I.C.C./I.D.; K. Walker, P.A.;  
A. Saha, P.A.; H. Watts, Board of  
Appeals; Louisa Fuertes-Rosario; and  
FNU Sero,

Defendants.

C/A No. 6:04-2190-GRA-WMC

ORDER  
(Written Opinion)

This matter is before the Court on Plaintiff's Objection to the magistrate's Report and Recommendation made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(d), D.S.C., and filed January 10, 2006. Objections to the magistrate's Report and Recommendation were due on January 27, 2006. On February 2, 2006 this Court filed an Order adopting the Report and Recommendation dismissing the Plaintiff's complaint without prejudice. Plaintiff filed his objection on February 6, 2006.

Plaintiff is proceeding *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *Haines v. Kerner*, 404 U.S. 519, 520 (1972).

Plaintiff failed to file timely objections to the magistrate's Report and Recommendation and therefore this Court adopted the Report and Recommendation and dismissed Plaintiff's Complaint on February 2, 2006. Therefore Plaintiff's objection to the magistrate's Report and Recommendation is moot and must be dismissed.

IT IS THEREFORE ORDERED that Plaintiff's Objection to the magistrate's Report and Recommendation is DISMISSED as MOOT.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "G. Ross Anderson, Jr.", is written over a horizontal line.

G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina

February 8, 2006

NOTICE OF RIGHT TO APPEAL

Plaintiff has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.